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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

LEIF MICKELSON,

Defendant and Appellant.

D067000

(Super. Ct. No. SCN311639-2)

APPEAL from a judgment of the Superior Court of San Diego County, K. Michael Kirkman, Judge. Affirmed.

Beatrice C. Tillman, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Appellant Leif Mickelson entered into a negotiated guilty plea to assault (Pen. Code, § 245, subd. (a)(1); all further statutory references are to this Code) and admitted he inflicted great bodily injury on a person other than an accomplice in the commission

of the felony (§§ 12022.7, subd. (a), 1192.7, subd. (c)(23)) in exchange for a stipulated five-year prison sentence and a dismissal of the balance of the information. On November 14, 2014, Mickelson filed an appeal of an October 15, 2014 postsentencing order (§ 1237.1) denying his request for additional presentence custody credits. Mickelson's appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *Anders v. California* (1967) 386 U.S. 738 (*Anders*). Finding no error, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

Appellant entered a negotiated guilty plea on December 11, 2012, to one count of assault (§ 245, subd.(a)) and admitted he inflicted great bodily injury on a person other than an accomplice in the commission of a felony (§§ 12022.7, subd. (a), 1192.7, subd. (c)(23)), in exchange for a five-year stipulated prison sentence and a dismissal of the balance of the complaint.

On February 14, 2013, appellant was sentence to a total of five years in state prison, consisting of the low term of two years for the assault conviction and a consecutive term of three years for the great bodily injury enhancement. Mickelson was awarded 141 days credit, comprised of 123 days local custody credit and 18 days of section 2933.1 credit.

On October 13, 2014, Mickelson filed an ex parte motion for an amended abstract of judgment, seeking the addition of conduct credits pursuant to sections 2900.5 and 4019. On October 15, 2014, the trial court denied the motion ruling, "credits remain as calculated on 2/14/13."

On November 14, 2014, Mickelson filed a notice of appeal from the order of October 15, 2014, denying additional presentencing credits.

Mickelson sought, but the record does not disclose that he was granted, a certificate of probable cause.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders, supra*, 386 U.S. 738, counsel refers to as a possible, but not arguable issue, whether appellant was entitled to additional conduct credits pursuant to sections 4019 and 2900.5 when he pled guilty to assault resulting in great bodily injury, a violent felony (§§ 667.5, subd. (c)(8), 2933.1, subd. (a)).

We granted Mickelson permission to file a brief on his own behalf. He has not responded.

A review of the record pursuant to *Wende, supra*, 25 Cal.3d 436, and *Anders, supra*, 386 U.S. 738, including the possible issue referred to by appellate counsel, has disclosed no reasonably arguable appellate issues.

Mickelson has been adequately represented by counsel on this appeal.

DISPOSITION

The order is affirmed.

IRION, J.

WE CONCUR:

BENKE, Acting P. J.

NARES, J.